

NEW HAMPSHIRE REAL ESTATE COMMISSION

COMMISSION MEETING

NOVEMBER 19, 2002

A meeting of the New Hampshire Real Estate Commission was held on Tuesday, November 19, 2002 at 9:00 a.m. in Room 425, State House Annex, 25 Capitol Street, Concord, New Hampshire 03301.

Meeting called to order at 9:10 a.m. by Chairman ARTHUR SLATTERY.

Present: Commissioners ARTHUR SLATTERY, MARTIN SMITH, BARBARA HEATH, PAULINE IKAWA, NANCY LeRoy, Executive Director BETH EMMONS, and Investigator ANN FLANAGAN.

- I. Motion by Commissioner SMITH, seconded by Commissioner HEATH, to approve and accept the minutes of the Commission meeting held on October 15, 2002.

II. APPOINTMENTS

9:00 a.m. - Equivalency Interviews

<u>CANDIDATE</u>	<u>COMMISSIONER</u>	<u>DETERMINATION</u>
BURT COX	SLATTERY	DENIED
JOHN PARSONS	SLATTERY	APPROVED

9:10 a.m. - PHIL BUCKLAND appeared before the Commission to explain a "yes" answer to question #7 on his salesperson's application. After an explanation, review and discussion, and on a motion by Commissioner LeRoy, seconded by Commissioner Heath, the Commission decided to table its decision until Mr. Buckland submits further information for consideration.

III. DISCUSSION

Complainant SHARON DEANE submitted a request for withdrawal of Complaint FILE NO. 2002-04-01. After review and discussion, the Commission unanimously granted the withdrawal. The parties to Complaint File No. 2002-04-01 to be so notified.

ATTORNEY HENRY SPALOSS submitted a request for withdrawal of Complaint FILE NO. 2002-09-05 on behalf of his client the complainant. After review and discussion, the Commission unanimously granted the withdrawal. The parties to Complaint File No. 2002-09-05 to be so notified.

Upon a previous request by the Commission, MARIE PACETTA of the Pace Group submitted a revised Marketing Consultant Agreement for Commission consideration. After review and

discussion, the Commission decided to table its decision and forward the information submitted by Ms. Pacetta to the Attorney General's office for a formal opinion. Ms. Pacetta to be so notified.

THEODORE KAMASINSKI, on behalf of the Complainant, submitted a Motion for Rehearing of FILE NO. 2001-08-01 JUDITH THAYER VS MARSHA ROGERS, ROBERT PHILLIPS, ROSE MARIE PHILLIPS, ROBERT SCARPONI, AND LINDA WHEELER. Due to insufficient time to thoroughly review the Motion, the Commission decided to table its decision until the next scheduled meeting.

IV. OTHER BUSINESS

1. Tuesday, December 17, 2002, was unanimously approved as the date for the next regular meeting.

2. CASE EVALUATIONS

(a) FILE NO. 2002-03-02

Evaluator: Commissioner HEATH

Determination: Upon a re-evaluation of the Complaint File, the Commission unanimously reversed its decision to hear the case to no violation, should not be heard.

(b) FILE NO. 2002-08-02

Evaluator: Commissioner LeRoy

Determination: No violation, should not be heard.

(c) FILE NO. 2002-09-01

Evaluator: Commissioner HEATH

Determination: No violation, should not be heard.

The above determinations were unanimously approved.

V. HEARING 9:55 AM

FILE NO. 2001-07-02 N.H.R.E.C. & JOE MOLLIKA AND DORI LYMAN VS LOUISA PAQUETTE AND ROSELYN CAPLAN

Evaluator: Commissioner LeRoy

The following persons were present at the hearing:

Commission: Commissioners ARTHUR SLATTERY, BARBARA HEATH, PAULINE IKAWA, Executive Director BETH EMMONS, Investigator ANN FLANAGAN and CINDY PATTEN.

Stenographer: Barry Nolin

Gerard J. Nolin & Associates, LLC
P.O. Box 1088
Concord, NH 03302-1088

Evaluator: Commissioner LeRoy evaluated the above matter and abstained from participation in the discussion and resulting decisions. Commissioner Smith was not present at the above matter and abstained from participation in the resulting decisions.

Complainants: N.H.R.E.C. through its Investigator Ann Flanagan
&

Joseph Mollica

P.O. Box 159
Newbury, NH 03255

Dori Lyman

Buyers Market Realty, Inc.
63 South Main Street
Newport, NH 03773

Attorney: Pro Se

Respondents: Louisa Paquette

1507 Braewick Street
Winter Springs, FL 32708-5904

&

Roselyn Caplan

Century 21 Highview Realty, Inc.
122 Pleasant Street
Claremont, NH 03743

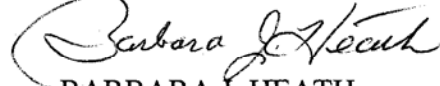
Attorney: Robert I. Morgan, Esquire

DECISION: Pending - subject to review of transcripts and exhibits.

VIII. ADJOURNMENT

Motion by Commissioner HEATH, seconded by Commissioner IKAWA to adjourn the meeting. Chairman SLATTERY adjourned the meeting at 12:24 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Barbara J. Heath".

BARBARA J. HEATH

Clerk